



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Judith L. Corley, Esq.  
Perkins Coie  
607 Fourteenth Street, N.W.  
Washington, DC 20005-2011

DEC 21 2004

RE: MUR 5440  
America Votes, Inc.

Dear Ms. Corley:

On April 7, 2004, the Federal Election Commission notified your client, America Votes, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On December 13, 2004, the Commission found, on the basis of the information in the complaint, that there is no reason to believe that America Votes violated 2 U.S.C. § 441a(f) by making excessive in-kind contributions, in the form of coordinated expenditures, to John Kerry for President, Inc. or the DNC Services Corporation/Democratic National Committee. The Commission is still considering other allegations made against America Votes in the complaint and will notify you after it makes any additional determinations or when it closes the file in this matter.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) remain in effect, and that this matter is still open. If you have any questions, please contact Mark Goodin, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

Lawrence H. Norton  
General Counsel

A handwritten signature in cursive script, appearing to read "Lawrence L. Calvert Jr.", followed by a small mark that looks like "or R2".

BY: Lawrence L. Calvert Jr.  
Deputy Associate General Counsel  
for Enforcement

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